

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
Courtroom 5B Calendar**

Wednesday, January 5, 2022

Hearing Room

5B

10:00 AM

8:00-00000

Chapter

#0.00 Hearings on this calendar will be conducted using ZoomGov video and audio.

For information about appearing in person (or a hybrid hearing) please visit <https://www.cacb.uscourts.gov/judges/honorable-theodor-c-albert>.

Parties in interest and members of the public may connect to the video and audio feeds, free of charge, using the connection information provided below.

Individuals may participate by ZoomGov video and audio using a personal computer (equipped with camera, microphone and speaker), or a handheld mobile device (such as an iPhone or Android phone). Individuals may opt to participate by audio only using a telephone (standard telephone charges may apply).

Neither a Zoom nor a ZoomGov account is necessary to participate and no pre-registration is required. The audio portion of each hearing will be recorded electronically by the Court and constitutes its official record.

Video/audio web address:

<https://cacb.zoomgov.com/j/1606346675>

ZoomGov meeting number: 160 634 6675

Password: 128783

Telephone conference lines: 1 (669) 254 5252 or 1 (646) 828 7666

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For more information on appearing before Judge Albert by ZoomGov, please see the "Notice of Video and Telephonic Appearance Procedures for Judge Theodor C. Albert's Cases" on the Court's website at: <https://www.cacb.uscourts.gov/judges/honorable-theodor-c-albert> under the "Telephonic Instructions" section.

To assist in creating a proper record and for the efficiency of these proceedings, please:

- Connect early so that you have time to check in.
- Change your Zoom name to include your calendar number, first initial and last name, and client name (*ex. 5, R. Smith, ABC Corp.*) if appearing by video. This can be done by clicking on "More" and "Rename" from the Participants list or by clicking on the three dots on your video tile.
- Mute your audio to minimize background noise unless and until it is your turn to speak. Consider turning your video off until it is your turn to appear.
- Say your name every time you speak.
- Disconnect from the meeting by clicking "Leave" when you have completed your appearance(s).

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Docket 0

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
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Wednesday, January 5, 2022

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10:00 AM

8:21-12506 Sarina Browndorf

Chapter 11

#1.00 STATUS CONFERENCE RE: Chapter 11 Voluntary Petition Individual.

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Tentative for 1/5/21:

Deadline for filing plan and disclosure statement: March 31, 2022

Claims bar: 60 days after dispatch of notice to creditors advising of bar date.

Debtor to give notice of the deadline by: January 31, 2022

Party Information

Debtor(s):

Sarina Browndorf

Represented By
Susan K Seflin

**United States Bankruptcy Court
Central District of California
Santa Ana
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8:21-12506 Sarina Browndorf

Chapter 11

#2.00 Debtor's Application To Employ Brutzkus Gubner Rozansky Seror Weber LLP
As General Bankruptcy Counsel Effective As Of October 14, 2021

Docket 27

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Tentative for 1/5/21:

The court is not troubled by the "atypical" retainer arrangement given the explanations provided. But a few clarifications are in order: 1. Does the Brutkus firm contend that title to the jewelry passed prepetition? 2. If title did not pass, and this is more in the nature of a pledge and a subsequent sale becomes in order, what portion of the proceeds are to be retained for the firm, and what will be administered by the estate generally, as part of the reorganization? \$100,000? Whatever the allowed fee turns out to be? 3. If title did pass, what protections can the estate expect, particularly in the event that the jewelry fetches a price (or through subsequent valuation) turns out well in excess of \$100,000?

Appearance: required

Party Information

Debtor(s):

Sarina Browndorf

Represented By
Susan K Seflin
Steven T Gubner

**United States Bankruptcy Court
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8:21-12506 Sarina Browndorf

Chapter 11

#3.00 Debtor's Application to Employ DeArmey Law, APC as Special Counsel
Effective as of October 14, 2021 Pursuant to 11 U.S.C. §§ 327(e), 328(a) and
330;

Docket 30

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Tentative for 1/5/21:

Grant, but the court would value input from Mr. Marshack as trustee of the law
firm estates given the allegation that assets of those estates funded the
retainer.

Appearance: required

Party Information

Debtor(s):

Sarina Browndorf

Represented By
Susan K Seflin
Steven T Gubner

**United States Bankruptcy Court
Central District of California
Santa Ana
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10:00 AM

8:21-12507 DCM-P3, LLC

Chapter 11

#4.00 STATUS CONFERENCE RE: Chapter 11 Voluntary Petition Non-Individual

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Tentative for 1/5/21:

Deadline for filing plan and disclosure statement: March 31, 2022

Claims bar: 60 days after dispatch of notice to creditors advising of bar date.

Debtor to give notice of the deadline by: January 31, 2022

Appearance: required

Party Information

Debtor(s):

DCM-P3, LLC

Represented By
Susan K Seflin

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8:21-12507 DCM-P3, LLC

Chapter 11

#4.10 Debtor's Application to Employ Brutzkus Gubner Rozansky Seror Weber LLP As General Bankruptcy Counsel Effective As Of October 14, 2021 Pursuant to 11 U.S.C. §§ 327 And 330

Docket 24

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Tentative for 1/5/21:
See #2.

Party Information

Debtor(s):

DCM-P3, LLC

Represented By
Susan K Seflin
Steven T Gubner

**United States Bankruptcy Court
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10:00 AM

8:21-12515 Phuoc Huu Dam and Ann Truong Dam

Chapter 11

#5.00 STATUS CONFERENCE RE: Chapter 11 Voluntary Petition Individual.

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Tentative for 1/5/21:

Deadline for filing plan and disclosure statement: March 31, 2022

Claims bar: 60 days after dispatch of notice to creditors advising of bar date.

Debtor to give notice of the deadline by: January 31, 2022

Appearance: required

Party Information

Debtor(s):

Phuoc Huu Dam

Represented By
Summer M Shaw

Joint Debtor(s):

Ann Truong Dam

Represented By
Summer M Shaw

**United States Bankruptcy Court
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8:21-11352 Don Teruo Kojima and Susan Lorraine Kojima

Chapter 11

**#6.00 STATUS CONFERENCE RE: Chapter 11 Voluntary Petition Individual.
(cont'd from 10-27-21)**

Docket 1

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Tentative for 1/5/21:
See #7.

Tentative for 10/27/21:
Is everything on track for timely filing of a plan?

Tentative for 6/30/21:
Deadline for filing plan and disclosure statement: September 30, 2021
Claims bar: 60 days after dispatch of notice to creditors advising of bar date.
Debtor to give notice of the deadline by: July 15, 2021

Appearance: required

Party Information

Debtor(s):

Don Teruo Kojima

Represented By
Richard H Golubow

Joint Debtor(s):

Susan Lorraine Kojima

Represented By
Richard H Golubow

**United States Bankruptcy Court
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8:21-11352 Don Teruo Kojima and Susan Lorraine Kojima

Chapter 11

#7.00 Debtors' Disclosure Statement In Support Of Debtors' Chapter 11 Plan Of Reorganization

Docket 114

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Tentative for 1/5/21:

The major battle seems to be whether the disclosure offered is adequate, given that there appear to be several serious objections to confirmation. Debtor correctly observes that this is an insuperable problem at the disclosure statement stage only if the plan is patently unconfirmable. That line may be closer than Debtor acknowledges. While it is true that the anti-modification provisions found at §1123(b) are not construed as affecting the ability to cure arrearages over the term of the plan, what might not be fully considered, however, is the rate of interest that the arrearage portion must therefore accrue in order to provide "present value" if that arrearage sum is paid potentially years later. A loan where the arrearages are not addressed makes for a riskier proposition, and the usual remedy in that event is to afford higher interest in order to reach present value for cramdown purposes under §1129(b)(2)(A)(i). On the Meredith objection, the court agrees that the plan as written is somewhat vague as to what constitutes a default and what the creditor can do after August 2022 to effect a remedy. While maybe not strictly a disclosure issues, it would be well advised to spell out with greater clarity so that Ms. Meredith can know what she is voting for/against. Nissan's objection is related to confirmation but well taken if, in fact, it is a secured claim.

Appearance: continue briefly to allow discussion and/or clarification.

Party Information

Debtor(s):

Don Teruo Kojima

Represented By
Richard H Golubow

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Don Teruo Kojima and Susan Lorraine Kojima

Ryan A Baggs

Chapter 11

Joint Debtor(s):

Susan Lorraine Kojima

Represented By
Richard H Golubow
Ryan A Baggs

**United States Bankruptcy Court
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10:00 AM

8:21-12231 Elite Aerospace Group, Inc.

Chapter 11

#8.00 Application of Debtors and Debtors-in-Possession to Employ K&L Gates LLP as Special Litigation, Insurance Coverage, and Employee Benefits Counsel

Docket 115

***** VACATED *** REASON: CONTINUED TO 1-26-2022 AT 10:00 A.M.,
PER STIPULATION ORDER ENTERED 1-3-2022, DKT #182**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Elite Aerospace Group, Inc.

Represented By

David L. Neale

Juliet Y. Oh

Richard P Steelman Jr

**United States Bankruptcy Court
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10:00 AM

8:20-10269 Rafik Youssef Kamell

Chapter 11

#9.00 Debtor's First Amended Disclosure Statement Describing Debtor's First Amended Chapter 11 Plan Of Reorganization Dated November 1, 2021

Docket 219

***** VACATED *** REASON: CONTINUED TO JANUARY 26, 2022 AT 10:00 A.M. PER AMENDED NOTICE OF HEARING FILED 11/22/2021 - (DOCKET NO. [226])**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Rafik Youssef Kamell

Represented By
Robert P Goe
Lisa Nelson

**United States Bankruptcy Court
Central District of California
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10:00 AM

8:20-12963 World of Dance Tour Inc.

Chapter 11

#10.00 World Of Dance Tour Inc's (1) Objection To Creditor Sweet Lemons, LLC's Proof Of Claim No. 4; And (II) Motion To Estimate The Unliquidated And Contingent Portions Of The Claim Pursuant To Bankruptcy Code Section 502(c)

Docket 179

***** VACATED *** REASON: ORDER (I) SETTING NEW DEADLINE AND HEARING DATE RELATED TO CHAPTER 11 PLAN CONFIRMATION; AND (II) SETTING NEW HEARING DATE ON DEBTOR'S CLAIM OBJECTION RE PROOF OF CLAIM OF CREDITOR SWEET LEMONS, LLC, - CONTINUED TO JANUARY 26, 2022 AT 10:00 A.M. - PER ORDER ENTERED 12/27/2021, DKT #186.**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

Tentative for 1/5/21:

There is apparently substantial dispute over the amount and entitlement both to attorney's fees and interest upon the claim. This becomes even more acute considering the post-petition period when the arbitration award, even if it does control the pre-petition period does not necessarily, for example, result in post-petition fees and/or at a continuing state law rate of interest, a reduced federal interest rate or no interest at all under §506. Inexplicably, no response was filed. Might there have been an issue with service? No tentative.

Appearance: required

Party Information

Debtor(s):

World of Dance Tour Inc.

Represented By
Fred Neufeld

Trustee(s):

Mark M Sharf (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Theodor Albert, Presiding
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10:00 AM

8:21-12231 Elite Aerospace Group, Inc.

Chapter 11

#11.00 Motion for Entry of Order Authorizing Debtors to Obtain Post-Petition Financing
from GMX Aerospace & Defense Group, Inc.
(OST Entered 12/23/2021)

Docket 141

***** VACATED *** REASON: CONTINUED TO 1-12-22 AT 10:00 A.M.
PER ORDER APPROVING STIPULATION TO CONTINUE HEARING
ENTERED 1-4-22**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Elite Aerospace Group, Inc.

Represented By

David L. Neale

Juliet Y. Oh

Richard P Steelman Jr

**United States Bankruptcy Court
Central District of California
Santa Ana
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8:21-12231 Elite Aerospace Group, Inc.

Chapter 11

#12.00 Motion For Entry Of Order (A) Establishing Bidding Procedures For Sale Of Substantially All Assets Of The Debtors, (B) Approving The Form And Manner Of The Sale Notice, (C) Scheduling An Auction And Sale Hearing And Certain Deadlines Related Thereto, And (D) Approving Procedures For Determining Cure Costs

Docket 145

***** VACATED *** REASON: CONTINUED TO 1-12-22 AT 10:00 A.M.
PER ORDER APPROVING STIPULATION TO CONTINUE HEARING
ENTERED 1-4-22**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Elite Aerospace Group, Inc.

Represented By

David L. Neale

Juliet Y. Oh

Richard P Steelman Jr

**United States Bankruptcy Court
Central District of California
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8:21-12231 Elite Aerospace Group, Inc.

Chapter 11

#13.00 Application to Employ Force Ten Partners, LLC / Motion For Entry Of Order: (1) Approving Engagement Agreement With Force Ten Partners, LLC; And (2) Authorizing Force Ten Partners, LLC To Provide Executive And Restructuring Services
(OST Signed 1-3-22)

Docket 176

***** VACATED *** REASON: CONTINUED TO 1-12-22 AT 10:00 A.M.
PER AMENDED ORDER GRANTING APPLICATION AND SET
HEARING ON SHORTENED NOTICE ENTERED 1-3-22**

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Elite Aerospace Group, Inc.

Represented By

David L. Neale

Juliet Y. Oh

Richard P Steelman Jr